

Attorney Docket No. 28851-504-059

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert John Watts
International Application No.: PCT/GB2004/001621
International Filing Date: April 14, 2004
International Publication No.: WO 2004/089263 A1
International Publication Date: October 21, 2004

U.S. National Stage Filing Date: October 12, 2005
U.S. Serial No.: 10/552,543
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 and 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance With 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Information Disclosure Statement has been filed:

(Check 1, 2 and/or 3 below)

1. ☐ within three months of the filing date of the National Application.
2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application.
3. ☒ before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

B. ☐ This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(Check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e),
(Check a or b below)

a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart of this application not more than three months prior to the filing of this Statement.

No fee is required.

b. ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart of this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

No fee is required.

C. ☐ This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

1. The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that:
(Check a or b below)

a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign

Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

- b. ☐ no item of information contained in this Information disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

2. A petition requesting consideration of the Information Disclosure Statement is attached.

3. The petition fee of \$180 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II: Information Cited

A. ☒ The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. ☐ The Applicant hereby makes the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified).

The following are remarks concerning the other information cited:

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

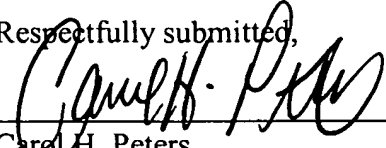
By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, or the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,


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Date: August 30, 2006

		Express Mail Label No. EV 538 965 365 US Date of Deposit: August 30, 2006	
FORM PTO-1449(Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 28851-504-059	SERIAL NO. 10/552,543
		APPLICANT Robert J. Watts	
		FILING DATE October 12, 2005	GROUP ART UNIT: Not Assigned
U.S. PATENT DOCUMENTS			

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	FILING DATE If Appropriate
	**A1	6,430,970	08/13/2002	Gardon-Mollard et al.	66	178	
	**A2	5,676,641	10/14/1997	Arensdorf et al.	602	27	
	**A3	5,584,799	12/17/1996	Gray	602	5	
	**A4	5,472,414	12/5/1995	Detty	602	27	
	**A5	5,464,384	11/7/1995	Cromartie	602	27	
	**A6	5,445,603	08/29/1995	Wilkerson	602	27	
	**A7	5,399,155	03/21/1995	Strassburg et al.	602	28	
	**A8	5,257,969	11/02/1993	Mance	602	28	
	**A9	5,219,324	06/15/1993	Hall	602	28	
	**A10	5,185,000	02/09/1993	Brandt et al.	602	63	
	**A11	4,974,343	12/4/1990	Davidson	36	89	
	**A12	4,862,900	09/5/1989	Hefe	128	80	
	**A13	4,651,723	03/24/1987	Satoh	128	80	
	**A14	4,559,934	12/24/1985	Philipp	128	80	
	**A15	4,187,844	02/12/1980	Caprio, Jr.	128	166	
	**A16	3,976,059	08/24/1976	Lonardo	128	80	
	**A17	3,589,359	06/29/1971	Hill et al.	128	80	
	**A18	3,504,668	04/7/1970	R.E. Boudon	128	80	

FOREIGN PATENT DOCUMENTS

		Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No
	B1	GB 2 375 962 A	12/04/2002	Ingham et al.	5	01	X
	B2	GB 2 330 309 A	04/21/1999	Watts et al.	5	01	X
	B3	GB 2 298 140 A	08/28/1996	Rehband Anatomiska AB	5	01	X
	B4	GB 2 188 550 A	10/7/1987	John Alan Drew	5	04	X
	B5	CA 2 037 546 C	07/23/2002	Katuaki Shiono	5	01	X
	B6	EP 0 884 036 A1	12/16/1998	Laura Cortinovis	13	08	X
	B7	EP 0 466 100 A1	07/9/1991	Unigame et al.	5	04	X
	B8	EP 0 114 560 A2	12/15/1983	Michel Bertheas et al.	13	08	X
	B9	WO 94/00083	01/06/1994	Brian Andrews et al.	5	04	
	B10	WO 94/09727	10/28/1993	Brian Andrews et al.	2	68	

OTHER ART

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

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*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

**** By the waiver of 37 CFR 1.98(a)(2)(i) copies of U.S. Patent A1-A18 is not submitted.**

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.